

## MARKING TIME ON THE COLORADO

### ONE CONTRACTOR GETS OVER THE LINE, BUT OTHERS STILL HELD UP BY MEXICAN CUSTOMS BARRIER

#### Work That Could and Should Have Been Completed By This Time Not Yet Begun. Government Method of Not Doing Things Applied to Emergency Operations On the River. Lawler Sent to Mexican Capital.

Contracts for building the protective levee along the Colorado river in Mexico territory were let by Col. Ockerson on December 12, but no arrangements having been concluded with Mexico for remission of duties on stock and supplies, the contractors and their outfits were held up at the border for two weeks while the officials at Washington were running around like headless hens and trying to do what should have been done last summer.

Because the Mexican government had politely assured the American minister that duties would be remitted, the Washington officials assumed that arrangements had been made and instructed Col. Ockerson to go ahead with the work, but they had not reckoned with the manana ways of our polite neighbors and at the last moment they discovered that no instructions had been sent to Mexican customs officers on the line and that animals and supplies taken across the border were contraband and liable to seizure. Oscar Lawler was sent to the city of Mexico to straighten things out, and in the meantime the contractors had to hustle their outfits back into the United States to save them.

This week Col. Ockerson found a way to get around a part of the difficulty by advancing the duties for contractors on the understanding that the money is to be refunded when Mexico gets the red tape unwound. J. H. Maxey, of Yuma, who has the contract for the first ten miles of levee, sent 150 head of stock over the lines on Tuesday and expected to have 450 head on the job by the end of the week. He will employ 300 or 400 men. Maxey, who was in El Centro on Wednesday, says his grubbing gangs have cleared camps and rights of ways every ten thousand feet along his ten miles of work, so that he can start five crews on the levee work at once. The grubbing gangs will then be able to keep ahead of the teams.

Norton & Mulligan, who have the sections below the Abejos, are tied up in Arizona because they have to pass through Sonora to get across the river and there is no custom house on that side. The officers at Mexicali have no jurisdiction in Sonora and cannot collect the duties, but the rurales can stop or seize stock and supplies entering from Arizona, and so Norton & Mulligan are held up and are said to be losing about \$300 a day.

Maxey does not know how much dirt he will have to move to build his sections of the levee, but roughly estimates the quantity at 500,000 cubic yards. The contract provides for an increase or decrease of sixty per cent in yardage and for changes of line and grade at option of the engineers. Because of changes made after his bid was opened and accepted, an extra allowance of five cents a yard has been made to Maxey. It is evident that no adequate survey of the ground had been made when bids were asked for and that the line of the levee had not been located. The specifications provided for bidders were vague and the estimates were mere guesses based upon information supplied by C. K. Clarke. The Chief Engineer had not been over the line, and it is reported by men who have been below the Abejos within the past few days that there are no indications of a survey having been made in that region. The engineers have had five months in which to do their work, and they are still guessing at the location and cannot tell the contractors even how deep they will have to go with their muck trenches.

W. H. Bowker, who is doing the grading for the railroad to the Abejos

on force account with an outfit collected in Mexico and is not bothered by customs regulations, has been rushing the work with energy and will have his part completed in a few days. When the rails are laid, the trestle can be placed across the Abejos and the break can be closed readily—if the river remains low.

The steamboat Searchlight, which was sold to the Reclamation Service after the closing of the break in 1907 and has been above the dam at Laguna, has been brought over the dam and will be used in the new work. If the boat is to be used below the intake, the weir dam that was built to insure flow into the valley canals will have to be removed. The engineers of the Reclamation Service have been trying to get the dam removed ever since it was built, but Col. Ockerson realizes the importance of the dam to Imperial valley, and it is not probable that he will call for its removal until he feels obliged to do so.

A despatch from Washington on Dec. 28 said:

"State department officials today announced an agreement with Mexico, subject to treaty, concerning the remission of duties on goods sent into Mexico for use on the levee work on the Lower Colorado. This treaty is to be negotiated by Oscar Lawler, special emissary of the State department, who is reported to have arrived in Mexico City Monday."

## HOLTVILLE FIESTA TRAINS

### Five Will Leave El Centro for Big Eastside Event Next Monday. Round Trip Seventy-five Cents.

The Holton Inter-Urban Railroad is prepared to haul hundreds of people to the Holtville Annual Fiesta next Monday. A rate of seventy-five cents for the round trip has been made, with a return limit of two days after the date of sale.

Trains will leave El Centro for Holtville at 8:30, 10:00, 11:30 a.m., 2 and 6:05 p.m. Trains returning will leave Holtville at 6:30 a.m., 2:45, 4:15 and 6:45 p.m.

With its new motor car and the other equipment of this road the Holton Inter-Urban expects to be able to give good accommodations to all who wish to visit one of the most unique New Year's celebrations in the entire Southwest.

## PALOVERCE SETTLERS WIN

### State Fails to Show That Valley is Swamp and Overflowed Land.

The State has been defeated in the first stage of the contest for possession of six townships in the Palo Verde district on the Colorado river, a part of which is within the boundaries of Imperial county. The State has been trying to oust the settlers and claimants from nearly 140,000 acres and to get title to the property on the ground that it is "overflowed and swamp land."

The land was surveyed in 1850 and classed as agricultural, and many settlers took up homestead claims.

Three years ago the government withdrew it from entry while it made an investigation as to the feasibility of carrying out a reclamation project. This idea was abandoned and the day before the local Land Office was intending to throw it open for entry, the State made application to the United States Surveyor-General for a

hearing to determine the classification of the land.

In his decision the Surveyor-General states:

"I have examined the testimony and find that the witnesses for the State and also those for the government all agree on one vital point at issue, that is, that without the overflow of the Colorado river, crops could not be raised on the land in question, and instead of the overflow rendering the land unfit for cultivation, it is only by reason of the overflow that crops can be raised at all.

"As the burden rests upon the State to prove the swamp and overflowed character of the land on September 28, 1850, which it has failed to do, the land in question does not, in my opinion, inure to the State under its grant."

The State has the right to appeal to the Secretary of the Interior for a review of the decision and it is likely that this will be done. Whatever might be the outcome of the appeal, the land would be withheld from entry for some time.

Meantime the persons residing on it can continue with the cultivation.

## RISE OF A SECTION HAND

### Commissioner Eshleman Once Shovelled Dirt on the Southern Pacific.

The Fresno Republican finds a striking parallel in the lives of Charles Markham, the new president of the Illinois Central Railroad, and John M. Eshleman, the new railroad commissioner of California and probable presiding officer of the commission.

Markham began as a section hand and worked up to the place of station agent at Fresno. He was transferred to Chicago and went up the ladder of promotion until he reached the top.

John M. Eshleman's first visit to Fresno, says the Republican, was as a day laborer, shovelling dirt on the section. By diligence, faithfulness and ability he reached a subordinate position in the pay department of the railroad, meanwhile studying nights and giving himself absolutely by his own efforts a high school education. He resigned to enter the university, and worked his own way through, graduating as the first prize scholar of the whole university. He studied and began the practice of law, serving as the city attorney of Berkeley, and as deputy labor commissioner. Then he was elected to the legislature, and made the first losing fight against the race-track gamblers. Enlisting the support of the machine, the gamblers put up such a fight that Eshleman broke his health in the struggle and had to move to Imperial valley. There he recovered his health, became district attorney and perhaps the most active citizen of the new county, and now he is railroad commissioner, with authority over the railroad on whose tracks he once shoveled dirt.

## TURKEY DINNER FOR EVERYONE

### Program of Events Arranged for Next Monday at East Side Town.

- 10:00 a.m.—Ball game at high school grounds.
  - 10:30 a.m.—Pony race, first prize \$5, second \$2.50.
  - 11:00 a.m.—Race for ladies.
  - 11:30 a.m.—Free barbecue.
  - 2:15 p.m.—Chariot race, first heat.
  - 2:45 p.m.—Bronco busting—\$25, \$15, \$10; entry \$2.
  - 3:30 p.m.—Fancy shooting.
  - 3:50 p.m.—Chariot race, second heat.
  - 4:15 p.m.—Roping, \$50, \$35, \$15; entry \$5.
  - 4:45 p.m.—Final heat of chariot races.
  - 8:15 p.m.—Two grand balls.
- Entrance fees for contests refunded to all contestants taking part. Finest orchestra in Southern California.

## BENSON BUILDS ADDITION.

A brick addition is being erected to the building adjoining The Imperial Valley Press office on the west and occupied by J. A. Benson's pool hall and cigar stand. This addition makes the building extend the full depth of the lot from Main street to the alley. It will be used for bath rooms.

## LAWYERS DISAGREE ON WATER PROBLEM

### No Conclusion Reached in a Conference Meant To be Final.

#### Attorneys Asked for Opinions On the Law Appear to Have Been Retained to Advocate a Particular Scheme of Organization and to Oppose Any Other.

A telegram received yesterday from John M. Eshleman, who went to Los Angeles to hold a final conference with other attorneys on the water question last Tuesday, and then went to San Francisco, conveys the information that the conference was not final and a report has not been agreed upon. It was supposed that a sort of compromise opinion had been agreed to, but at the last moment an effort was made to introduce matter that Eshleman could not approve.

Eshleman and Haines agreed long ago and prepared an opinion, and McPherrin virtually concurred, but Britt held out for the stock company plan of organization as if he had been retained for that purpose, and Shaw followed his lead without preparing an opinion. Eshleman and Haines deem it impracticable for the mutual companies to organize an operating company, and find the district system the more feasible, but they see legal and practical obstacles to any form of organization at present and probably will not advise that immediate action be taken by the water-users except in the direction of obtaining treaty rights for a canal through Mexico.

There are strong interests behind the stock company scheme, and it is possible that a combination of capital may be made to pick up the wreck of the C. D. Co. and put the irrigation system upon a business and revenue-producing basis.

## FINAL CERTIFICATES.

The United States Land office has issued final certificates to Imperial valley lands as follows:

- To G. I. French, NE $\frac{1}{4}$  28-12-13.
- To A. J. Kogre, NW $\frac{1}{4}$  28-12-15.
- To T. B. Shank, tract 46-13-15.
- To Ed. Hasen Guier, tract 119-15-15 and 16.
- To Jesse L. McGuire, tract 104-16-14.

## COTTON STALK PAPER.

### Southern Inventor Thinks He Has Found Use for Waste Product.

A number of efforts have been made in recent years to devise some satisfactory method for producing paper from cotton stalks. An inventor in Atlanta, Ga., has invented a system for reducing cotton stalks to a suitable form for the manufacture of paper, which appears to solve most of the difficulties which have hitherto prevented the accomplishment of the task.

The inventor is naturally very enthusiastic about the merits of his process. He contends that the fibre in the stalks and limbs of the cotton plant is considerably stronger than spruce wood fibre and that it is almost as strong as the fibre of the flax plant, thus making it possible to produce from cotton stalks a paper superior in strength and texture to ordinary wood pulp paper and nearly as strong as high grade linen paper. The cost of the cotton stalk paper is said to be about \$20 a ton, allowing \$6 a ton for the stalks. Cheap wrapping paper, made of wood pulp, sells at about \$40 a ton.

## GROUND WATER AT PARKER.

(Parker Post.)

There is a strong reason to hope that the powers that be in Washington, who, commercially speaking, for the near future hold the power of life or death as to agricultural possibilities for Parker, will come to see what has been so plain to thinking people for a long time—that the Parker bottom lands of the Colorado river Indian Reservation, as well as the bottom lands near Parker on the Cali-

fornia side of the river, is essentially a project that can best be handled by pumping.

From 12 to 20 feet at the outside, water, abundance of water, good water, free from sediment, is here at hand. Water to irrigate the Parker project need not be laboriously brought from costly dams, concerning which paper companies talk in owlish would-be financial wisdom in terms of millions. The Parker project has the water.

Why is the reservation not opened? The Indians are anxious to have it opened and receive their allotments of farm units in severalty. An appropriation of \$50,000 was made by the Act of April 4, 1910, authorizing the opening of 150,000 acres of the reservation. The Interior Department refuses to comply with the provisions of this Act, giving no valid reason for such refusal.

## PEACE OFFICER FOR HEDGES.

Clyde A. Bradford, formerly city marshal of El Centro, has been commissioned by Sheriff Meadows to act as deputy sheriff at the Hedges mine, located about six miles northeast of Ogilby. Extensive preparations are being made for the resumption of operations on the Hedges mine, and many men will be employed. They are now gathering in from various mining camps, and Sheriff Meadows deems it wise to have a peace officer on the ground. Bradford went over to Hedges last week.

## THE COTTON CROP

### Nearly Four Thousand Bales Picked Indicate Total of Seven Thousand.

Up to date the gins of the Imperial Valley Oil and Cotton Company have turned out more than 3300 bales of cotton, and it is safe to say that from 3500 to 4000 bales in the aggregate have been harvested. All of half the crop has been picked, possibly more, and experts estimate that the total product will not exceed 7000 bales.

A part of the crop will be lost to growers through the expiration of land leases at the end of the year and before completion of second picking. Many growers are using leased land, and this year's experience has shown the expediency of early planting in such cases as the late cotton, does not open in time to be harvested before January.

No shipments to Oakland were made this week, but some cotton was bought by the agent of the mills at prices ranging from 13.50 to 13.70. The price yesterday, for the best grade, was 13.60.

## NEW COUNTY OFFICERS

### Changes That Will Take Place at the Court House Next Week.

The newly-elected officials of Imperial county will take their places at the Court House next Tuesday. Three new supervisors, Carr, Boyd and Beal, replace Webster, Ferguson and Wade. McHarg and Clark were re-elected.

Mobley Meadows continues in office as sheriff, and Phil D. Swing, who has been John M. Eshleman's deputy and acting-district attorney for some time, takes the place of his former chief, with Frank Birkhauser as deputy.

Major S. Cook, who has been tax collector by appointment, takes the place of County Clerk Elder, and John Norton succeeds John B. Baker as county recorder. Norton retains Mrs. Williams as deputy. Wiley Weaver is the new assessor and will have N. J. Reed, formerly of Imperial, as deputy.

Paul Boman leaves the treasurer's office to collect taxes and will be succeeded by J. Stanley Brown, now the expert accountant for the county.

Ike McCoy remains in office as auditor, and L. E. Cooley takes the place of J. E. Carr as superintendent of schools. County Surveyor Perry had no opposition and was re-elected as a matter of course.

No changes of deputies in the sheriff's office have been announced, and it is probable that W. H. Buck and Percy Kilgore will be retained.

## STOLE GRAVEYARD IS UNIQUE CHARGE

### Wholesale "Burking" Alleged In Imperial Land Contest Case

#### Cemetery Association Complains of Unholy Conspiracy, by Which Undertaker Gets Away With Burial Ground and Bones of Many Deceased Citizens.

The "Man Who Stole a Meeting-house" has held the record for larcenous originality these many years, but his fame is threatened with eclipse. If the allegations in an Imperial land contest, are true, the graveyard of the city of Imperial and 158 occupants thereof have been swiped through a "fraudulent and unholy conspiracy."

The charge of conspiracy to steal a graveyard is made by officers of the Imperial Cemetery Association. The present holder of the land, forty acres, about three miles northeast of Imperial, is Mrs. Ida Wessel, wife of an Imperial undertaker. Mrs. Wessel acquired it through a transfer executed by Charline Bishop, stated in the protest to be "some relation" to Frederick Bishop, who is alleged to have been the trusted but treacherous agent of the association.

According to the allegations of Leroy Holt, Edgar F. Howe and F. H. Wales, Bishop was employed by them to file on and hold the land under his personal right of entry until such time as the company itself could secure title to it. The site had been selected as an appropriate one for a cemetery, water had been put on the land and other improvements, such as the setting out of trees, had been made with that end in view. At the time of the alleged steal, the ground had already been put into use for burial purposes.

The complaint asserts that Bishop calmly proceeded to a deliberate violation of his trust, apparently with the end of mere sordid gain in view. By "selling or otherwise disposing of the land, or by permitting it to revert to the government," the cemetery people allege that he made a second entry possible by the "relative," Charline Bishop, who filed on the forty acres July 1, 1907.

It would appear that the cemetery association did not awaken to the fact that the land had passed out of the hands of its supposed agent until a second transfer had been made, two years later, to the wife of the undertaker.

Mrs. Wessel filed her final proofs on the tract on November 9, 1909. At that time, the value and desirability of the site for the purpose chosen is asserted to have been amply proven by the fact that 158 graves were located there.

Holt, Howe and Wales assert that, in taking up the land, Mrs. Wessel had no intention of effecting any further improvements of the land or of making her home there. Separate affidavits by each of the protesters accuse her of being a party to the alleged fraudulent transaction by which Mrs. Bishop secured the right to assign the land.

Mrs. Bishop is herself asserted to be guilty of an "unholy conspiracy."

The notice and affidavits of protest were filed in Washington by representatives of the cemetery association last week. Commissioner Dennett immediately returned them to the Los Angeles Land Office with instructions to Register Buren and Receiver Robinson to set a date for the hearing.

## SCIENCE FOR FARMERS.

A farmers' meeting on Saturday, January 6, in the opera house at El Centro, at 2 p.m., will be addressed by Prof. Taylor of Imperial, Prof. Soares of Brawley, Prof. Packard of El Centro and Prof. Booth of Heber. They will speak on the following topic: "What is the best suggestion that you can make for Imperial valley farmers?"